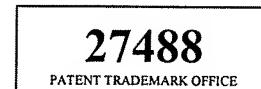


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Michael Paul Robinson	Examiner:	Anil Khatri
Application No.:	10/814,914	Group Art Unit:	2191
Filed:	March 31, 2004	Docket No.:	50037.234US01
Title:	SMART TEST ATTRIBUTES AND TEST CASE SCENARIO IN OBJECT ORIENTED PROGRAMMING ENVIRONMENT (AS AMENDED)		

TERMINAL DISCLAIMER TO OBLIGATE
A DOUBLE PATENTING REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450



Dear Sir:

Petitioner, Microsoft Corporation, a corporation organized and existing under the laws of the State of Washington and having its primary place of business at One Microsoft Way, Redmond, Washington 98052, in the county of King, and the state of Washington represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/814,914, filed on March 31, 2004 and entitled SMART TEST ATTRIBUTES AND TEST CASE SCENARIO IN OBJECT ORIENTED PROGRAMMING ENVIRONMENT, by virtue of our assignment recorded at Reel 015175, Frame(s) 0231. Attached herewith is a Certificate under 37 C.F.R. § 3.73(b) establishing Microsoft's right as assignee to take action.

Petitioner, Microsoft Corporation, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 7,082,376 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same

as the legal title to U.S. Patent Nos. 7,082,376, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 7,082,376, in the event that U.S. Patent Nos. 7,082,376 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

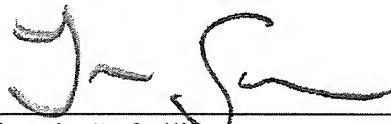
For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: August 3, 2007

Respectfully submitted,

MERCHANT & GOULD P.C.



Timothy P. Sullivan
Registration No. 47,981
Direct Dial: 206.342.6254

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Paul Robinson Examiner: Anil Khatri
Application No.: 10/814,914 Group Art Unit: 2191
Filed: March 31, 2004 Docket No.: 50037.234US01
Title: SMART TEST ATTRIBUTES AND TEST CASE SCENARIO IN OBJECT
ORIENTED PROGRAMMING ENVIRONMENT (AS AMENDED)

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Microsoft, a corporation organized and existing under the laws of the State of Washington, having a place of business at One Microsoft Way, Redmond, Washington 98052, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. An assignment from the inventor(s), of the patent application identified above.

The assignment was recorded in the Patent and Trademark Office on March 31, 2004, at Reel 015175, Frame(s) 0231, or for which a copy is attached.

B. A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From: To:

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3. From: To:

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Frame(s) , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

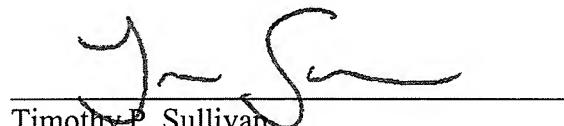
Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

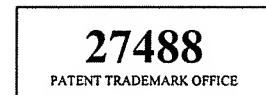
Respectfully submitted,

MERCHANT & GOULD P.C.



Timothy P. Sullivan
Registration No. 47,981
Direct Dial: 206.342.6254

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 25, 2004

PTAS



102715944A

MERCHANT & GOULD, P.C.
MARK R. HENNINGS
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

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RECORDATION DATE: 03/31/2004

REEL/FRAME: 015175/0231
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
ROBINSON, MICHAEL PAUL

DOC DATE: 03/31/2004

ASSIGNOR:
GERBER, PETER

DOC DATE: 03/31/2004

ASSIGNEE:
MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WASHINGTON 98052

SERIAL NUMBER: 10814914
PATENT NUMBER:
TITLE: SMART TEST ATTRIBUTES

FILING DATE: 03/31/2004
ISSUE DATE:

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

01-07-2004



102715944

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael Paul Robinson
Peter Gerber

2. Name and address of receiving party(ies):

Microsoft Corporation
One Microsoft Way
Redmond, WA 98052

19270 U.S. PTO
10/814914



Additional name(s) of conveying party(ies) attached? Yes No

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other:

Execution Date: March 31, 2004

4. Application number(s) or patent number(s):

101819/919

If this document is being filed together with a new application, the execution date of the application is: March 31, 2004

A. Patent Application No.(s)

04/05/2004 DTESEM1 00000165 10814914

B. Patent No.(s)

04 FC:8021

40.00 OP

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark R. Hennings
Address: Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00
 Enclosed
 Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark R. Hennings

Name of Person Signing

Signature

March 31, 2004

Date

Total number of pages including cover sheet, attachments, and document: 3

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23552

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Filing Date.....executed concurrently herewith
Inventorship.....Michael Paul Robinson, et al.
Applicant.....Microsoft Corporation
Attorney's Docket No. 50037.234US01
MS Docket No. 306673.01
Title: SMART TEST ATTRIBUTES

PATENT ASSIGNMENT**PARTIES TO THE ASSIGNMENT****Assignor(s):**

Michael Paul Robinson
16822 NE 39th Ct., Apt. B3005
Redmond, WA 98052

Peter Gerber
4425 Issaquah Pine Lake Road S.E. #V22,
Sammamish, WA 98075

Assignee:

Microsoft Corporation
Corporation in the State of Washington
One Microsoft Way
Redmond, WA 98052

AGREEMENT

WHEREAS, ASSIGNOR(S) (listed above) are inventor(s) of an invention entitled "SMART TEST ATTRIBUTES," as described and claimed in the specification forming part of an application for United States letters patent referenced above;

Attorney Docket No. 50037.234US01
MS Docket No. 306673.01

WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at One Microsoft Way, Redmond, WA 98052, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sell, assign and transfer unto ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR(S) had this assignment, transfer and sale not been made. ASSIGNOR(S) hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR(S) agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefore.

3/31/04

Date

Michael Robinson

Michael Paul Robinson

3/31/04

Date

Peter Gerber

Peter Gerber